

1 WRIGHT, FINLAY & ZAK, LLP
2 Christopher A.J. Swift, Esq.
3 Nevada Bar No. 11291
4 Robert A. Riether, Esq.
5 Nevada Bar No. 12076
6 7785 W. Sahara Ave, Suite 200
7 Las Vegas, Nevada 89117
8 (702) 475-7964; Fax: (702) 946-1345
9 rriether@wrightlegal.net

10 *Attorneys for U.S. Bank National Association, as Trustee on Behalf of the Holders of the Credit*
11 *Suisse First Boston Mortgage Securities Corp. Home Equity*
12 *Pass-Through Certificates, Series 2006-8*

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 U.S. BANK NATIONAL ASSOCIATION, AS
16 TRUSTEE, ON BEHALF OF THE HOLDERS
17 OF THE CREDIT SUISSE FIRST BOSTON
18 MORTGAGE SECURITIES CORP. HOME
19 EQUITY PASS THROUGH CERTIFICATES,
20 SERIES, 2006-8,

21 Plaintiff,

22 vs.

23 SFR INVESTMENTS POOL 1, LLC, a
24 domestic entity; and PAINTED DESERT
25 COMMUNITY ASSOCIATION, a Nevada
26 non-profit corporation,

27 Defendant.

28 SFR INVESTMENTS POOL 1, LLC, a Nevada
limited liability company,

Counter/Cross-Claimant,

vs.

U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE, ON BEHALF OF THE HOLDERS
OF THE CREDIT SUISSE FIRST BOSTON
MORTGAGE SECURITIES CORP. HOME
EQUITY PASS THROUGH CERTIFICATES,
SERIES, 2006-8; and JOHN PAUL
ROBERTSON, an individual,

Case No.: 2:16-cv-02394-JAD-GWF

**STIPULATION AND ORDER TO
DISMISS SFR INVESTMENTS POOL 1,
LLC WITH PREJUDICE**

ECF No. 45

Counter/Cross-Defendants.

Pursuant to Fed. R. Civ. P. 41(a) and LR IA 6-2, Plaintiff/Counter/Cross-Defendant, U.S. Bank National Association, as Trustee on Behalf of the Holders of the Credit Suisse First Boston Mortgage Securities Corp. Home Equity Pass-Through Certificates, Series 2006-8 ("Plaintiff") and Defendant/Counter/Cross-Claimant, SFR Investments Pool 1, LLC ("SFR") (collectively the "Parties"), by and through their respective undersigned counsel of record, hereby stipulate to and agree, as follows:

1. This action concerns title to real property commonly known as 7921 Aspect Way, Las Vegas, Nevada 89149 ("Property") following a homeowner's association foreclosure sale conducted on April 18, 2014, with respect to the Property.
2. As it relates to the Parties, a dispute arose regarding that certain Deed of Trust recorded against the Property in the Official Records of Clark County, Nevada as Instrument Number 20060531-0003965 ("Deed of Trust"), and in particular, whether the Deed of Trust continues to encumber the Property.
3. This Stipulation and Order is the result of a compromise resolution of this action and shall not constitute or be construed as an admission of the facts or legal conclusions at issue in this action, or an admission as to the validity of the allegations in future actions.
4. With respect to this dispute, the Parties have entered into a confidential settlement agreement pursuant to which Plaintiff shall record a reconveyance of the Deed of Trust in the real property records of Clark County, Nevada.

- 1 5. Plaintiff expressly reserves all rights and interests in the loan secured by the Deed of
2 Trust, as well as its claims against John Robertson, including but not limited, any
3 actions to seek a deficiency judgment.
- 4 6. SFR expressly reserves its claims against John Roberson for quiet title.
- 5 7. The Parties have resolved all of their claims and disputes, and stipulate and agree to
6 the dismissal of all claims among them with prejudice, with each party to bear its own
7 costs and attorneys' fees.
- 8 8. The Parties further stipulate and agree that a copy of this Stipulation and Order may
9 be recorded with the Clark County Recorder.
- 10 9. The Parties further stipulate that pursuant to Nevada Law, specifically, NRS
11 116.31164, Plaintiff is the proper recipient of excess proceeds resulting from the
12 association foreclosure sale in the amount of \$6,815.51 and that Nevada Association
13 Services, Inc. shall deliver the excess proceeds in the amount of \$6,815.51 to "Select
14 Portfolio Servicing, Inc." on behalf of Plaintiff.

15 **IT IS SO STIPULATED.**

16 DATED this 17th day of October, 2018.

17 DATED this 17th day of October, 2018.

18 WRIGHT FINLAY & ZAK, LLP

19 KIM GILBERT EBRON

20 /s/ Robert A. Riether, Esq.

21 /s/ Jacqueline A. Gilbert, Esq.

22 Christopher A.J. Swift, Esq.

22 Diana S. Ebron, Esq.

23 Nevada Bar No. 11291

23 Nevada Bar No. 10580

24 Robert A. Riether, Esq.

24 Jacqueline A. Gilbert, Esq.

25 Nevada Bar No. 12076

25 Nevada Bar No. 10593

26 7785 W. Sahara Ave, Suite 200

26 Karen L. Hanks, Esq.

27 Las Vegas, Nevada 89117

27 Nevada Bar No. 9578

28 Attorneys for U.S. Bank National

28 7625 Dean Martin Drive, Ste. 110

 Association, as Trustee on Behalf of the

 Las Vegas, NV 89139

 Holders of the Credit Suisse First Boston

 Attorney for SFR Investments Pool 1, LLC

 Mortgage Securities Corp. Home Equity

 Pass- Through Certificates, Series 2006-8

ORDER

Based on the stipulation [ECF No. 45] between plaintiff/counterdefendant US Bank National Association and defendant/counterclaimant SFR Investments Pool 1, LLC, which I construe as a joint motion because it is between fewer than all parties to this litigation, and good cause appearing, IT IS HEREBY ORDERED that **ALL CLAIMS BETWEEN US BANK and SFR are DISMISSED** with prejudice, each party to bear its own fees and costs. This dismissal leaves pending only SFR's claims against John Paul Robertson, who was served on 12/20/16 [ECF No. 24] but has not answered or otherwise appeared. **SFR has 30 days to initiate default proceedings against Robertson or otherwise bring those claims to conclusion.**



U.S. District Judge Jennifer A. Dorsey
Dated: October 18, 2018